

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

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In the Matter of )  
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Schools and Libraries Universal Service )  
Support Mechanism )  
\_\_\_\_\_ )

CC Docket No. 02-6

**PETITION FOR THE WAIVER OF E-RATE RULES CONCERNING**

- **INCLUSION OF ALL ENTITIES TO RECEIVE SERVICE ON THE BLOCK 4 OF THE ORIGINAL FORM 471 UNDER THE SCHOOLS AND LIBRARIES UNIVERSAL SERVICE SUPPORT MECHANISM WITH RESPECT TO CERTAIN FY 2008 AND FY 2009 FORMS 471,**
- **THE ABILITY TO CHANGE APPLICATION TYPE AFTER SUBMISSION OF THE FORM 471 WITH RESPECT TO CERTAIN FY 2008 AND FY 2009 FORMS 471, AND**
- **THE ABILITY TO CHANGE THE BILLED ENTITY AFTER SUBMISSION OF THE FORM 471 WITH RESPECT TO CERTAIN FY 2009 FORMS 471**

**Filed by the Recovery School District, Entity #16042306**

On June 22, 2009, I filed a petition for waiver of your rules so that the Recovery School District (RSD) and New Orleans Public Schools (NOPS) might receive the E-rate funds for public schools in the New Orleans metropolitan area for which RSD and NOPS applied for FYs 2007, 2008, and 2009, notwithstanding issues about the entities we listed on those applications and the application type we indicated at the time of filing.

This is a separate request for waiver relating to the same issues but with respect to Louisiana schools that have been taken over by RSD outside of the New Orleans area.

We understand that the Universal Service Administrative Company (USAC) does not have authority to substitute "new" entities on Block 4 worksheets for the entities that were listed originally. We determined, with respect to schools that RSD took over in the New Orleans metropolitan area from NOPS, that virtually all the schools receiving service in FYs 2007, 2008, and 2009 are "new" compared to the entities and entity numbers listed on the original Block 4 worksheets because they are a school program that is not the building name we listed, or because they were taken over by RSD and are no longer under the administrative authority of NOPS (and



therefore need new entity numbers), and/or because they have been chartered out and their educational program is under the direction of a charter company (and therefore they need new entity numbers).

RSD has taken over 11 schools in Louisiana school districts outside the New Orleans metropolitan area in the past 15 months. The schools are shown in Attachment 1. These schools were all listed with their old entity numbers on "School District" Forms 471 filed by either their original districts before RSD took them over or by RSD or by the RSD Charter that now operates the educational entity.

Four East Baton Rouge (EBR) schools and one Point Coupee (PCPS) school, shown on the attached list, were taken over by RSD on July 1, 2008 – well after the FY 2008 Forms 471 were submitted. An additional four EBR schools and two Caddo Parish schools were approved for takeover on February 19, 2009, but did not officially operate under RSD until July 1, 2009. When these schools were taken over by RSD, they became "new" schools in the view of the Louisiana Department of Education. Because of the timing of the takeovers in 2008, RSD was unable to include the EBR and PCPS on its own Forms 471 for FY 2008. Additionally, in 2009-10, RSD filed on behalf of these schools; however, subsequent management and chartering agreements had still to be defined before the official takeover on July 1, 2009. In the subsequent agreements, the four EBR schools and the two Caddo schools were converted to RSD charters.

To address all of these matters, RSD seeks a waiver of FCC rules so that USAC can amend the Forms 471 of both EBR and Pointe Coupee for the years and Forms 471 shown on the table to be "Consortium" applications and to include these "new" schools on an appropriate Block 4 worksheet. Approval of this waiver will allow the districts to get reimbursed for services provided to these schools in the affected funding years despite the fact that they were taken over pursuant to Louisiana law by RSD.

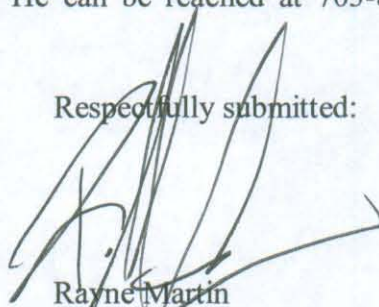
Additionally, RSD seeks a waiver to amend both the RSD and Advance Baton Rouge (charter operator of Prescott MS, Point Coupee Central HS, and Glen Oaks MS) FY 2009 Block 4s to reflect the correct entities to receive service and their associated entity numbers as each of these RSD schools is considered a "new" school by the state, though RSD and Advance Charter applied using the schools' old entity numbers.

Lastly, RSD seeks a waiver to amend the applicant/Billed Entity Number for the six FY 2009 RSD charter schools, for which RSD filed Forms 471 (Forms 471 # 696164, 696034, 696032, 696189, 696133, 696188, 696139, 696141, 696191, 696140, and 696187) to reflect the actual charter operator and not RSD. These schools include: Linear Middle School operated by Martin Luther King Neighborhood Association, Linwood Middle School operated by Shreveport Charter School, Inc., Crestworth Middle School operated by Crestworth Learning Academy, Dalton Elementary operated by Advance Baton Rouge, Kenilworth Middle School operated by Pelican Educational Foundation, and Lanier Elementary School operated by Advance Baton Rouge. RSD filed on behalf of these schools because these educational operators were not approved until March 12, 2009, long after the window closed. These operators are listed on Attachment 1 in parentheses in the Operator column for the appropriate year and are the proper Billed Entities for these applications.



Please let us know if you need additional information. Our contact person for this matter is George McDonald of E-Rate Central. He can be reached at 703-836-2450 or via e-mail at [gmcdonald@e-ratecentral.com](mailto:gmcdonald@e-ratecentral.com).

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'Rayne Martin', is written over the typed name and title.

Rayne Martin  
Chief of Staff  
Recovery School District  
1641 Poland Avenue  
New Orleans, LA 70117

July 9, 2009

cc: Ms. Vickie Robinson  
Ms. Regina Brown  
Telecommunications Access Policy Division  
Wireline Competition Bureau, FCC

## ATTACHMENT 1

### 2008-09 SCHOOLS

School	Original District before RSD	Take Over Date	Educational Operator for 2008-09	NCES #	State	Funding Year to Include	2008-09 Form 471	Billed Entity for 471 Application
Capitol Pre-College Academy for Boys	EBR Parish	7/1/2008	RSD Charter School (100 Black Men Capitol Charter Initiative)	220054001644	LA	2008-09, 2009-10	611467, 611187, 611517, 611175, 611791	East Baton Rouge Parish School District
Capitol Pre-College Academy for Girls	EBR Parish	7/1/2008	RSD Charter School (100 Black Men Capitol Charter Initiative)	220054001656	LA	2008-09, 2009-10	611467, 611187, 611517, 611175, 611791	East Baton Rouge Parish School District
Glen Oaks Middle School	EBR Parish	7/1/2008	RSD Charter School (Advance Baton Rouge)	220054000377	LA	2008-09, 2009-10	611467, 611187, 611517, 611175, 611791	East Baton Rouge Parish School District
Prescott Middle School	EBR Parish	7/1/2008	RSD Charter School (Advance Baton Rouge)	220054000---	LA	2008-09, 2009-10	611467, 611187, 611517, 611175, 611791	East Baton Rouge Parish School District
Pointe Coupee Central High School	Pointe Coupee	7/1/2008	RSD Charter School (Advance Baton Rouge)	220126002002	LA	2008-09, 2009-10	634569, 633768, 631488	Pointe Coupee Parish School District

### 2009-10 SCHOOLS

School	Original District before RSD	Take Over Date	Educational Operator for 2009-10	NCES #	State	Funding Year to Include	2009-10 Form 471	Billed Entity for 471 Application
Linear Middle School	Caddo Parish	7/1/2009	RSD Charter School (Martin Luther King Neighborhood Association)	220030000174	LA	2009-10	696164, 696034	RSD for MLK Neighborhood Association
Linwood Middle School	Caddo Parish	7/1/2009	RSD Charter School (Shreveport Charter School, Inc.)	220030000175	LA	2009-10	696164, 696032	RSD for Shreveport Charter School, Inc.
Crestworth Middle School	EBR Parish	7/1/2009	RSD Charter School (Crestworth Learning Academy)	220054000369	LA	2009-10	696189, 696133	RSD for Crestworth Learning Academy
Dalton Elementary School	EBR Parish	7/1/2009	RSD Charter School (Advance Baton Rouge)	220054000370	LA	2009-10	696188, 696139	RSD for Advance Baton Rouge
Glen Oaks Middle School	EBR Parish	7/1/2008	RSD Charter School (Advance Baton Rouge)	220054000377	LA	2008-09, 2009-10	690086	Advance Baton Rouge (an RSD Charter School)
Kenilworth Middle School	EBR Parish	7/1/2009	RSD Charter School (Pelican Educational Foundation)	220054000389	LA	2009-10	696141, 696191	RSD for Pelican Educational Foundation
Lanier Elementary School	EBR Parish	7/1/2009	RSD Charter School (Advance Baton Rouge)	220054000391	LA	2009-10	696140, 696187	RSD for Advance Baton Rouge
Prescott Middle School	EBR Parish	7/1/2008	RSD Charter School (Advance Baton Rouge)	220054000---	LA	2008-09, 2009-10	690806	Advance Baton Rouge (an RSD Charter School)
Pointe Coupee Central High School	Pointe Coupee	7/1/2008	RSD Charter School (Advance Baton Rouge)	220126002002	LA	2008-09, 2009-10	690086	Advance Baton Rouge (an RSD Charter School)